

## HAMPTON PLANNING BOARD – MINUTES

January 15, 2003

PRESENT: Thomas Gillick, Chairman  
Sharleene Hurst, Vice Chair  
Jack Lessard, Clerk  
Keith Lessard  
Peter Olney  
Bob Viviano  
Skip Sullivan, Selectmen Member  
Jennifer Kimball, Town Planner

Mr. Gillick called the meeting to order at 7:00 p.m. and introduced the members in attendance.

### I. CONTINUED PUBLIC HEARINGS

1. Christopher and Madison Corporation  
Site Plan Review to construct addition onto Wally's Pub at  
144 & 148 Ashworth Avenue  
Map 293, Lots 66 & 74  
Owner of Record: Same as Above  
*Jurisdiction accepted 12/18/2002*

Mr. Richard Styles, Sr. and Mr. Liard Walsh, Parker Survey addressed the Board. Mrs. Kimball informed the Board that the departmental reviews have been received. The January 10, 2003 Fire Safety memo listed several items of concern which can be addressed at building permit application. Mrs. Kimball reviewed the items of concern and conditions previously discussed by the Board.

OPEN PUBLIC HEARING. No comment. CLOSE PUBLIC HEARING.

Mr. Viviano **MOTIONED** to approve the Site Plan to construct addition onto Wally's Pub at 144 & 148 Ashworth Avenue, Map 293, Lots 66 & 74, Project #202344 subject to:

1. There shall be no expansion of the existing outdoor eating space/capacity;
2. Submittal of voluntary lot merger forms and recording fees, recorded prior to/simultaneous with the Site Plan;
3. Submittal of mylar and recording fees;
4. Compliance with conditions outlined in the Fire Safety memo dated January 10, 2003 at/during building permit application.

Mrs. Hurst **SECONDED. VOTE:** All. **MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

## II. ATTENDING TO BE HEARD

### 1. WCV, Inc.

Discussion of public water requirement for  
9-11, 17 & 19 K Street  
Map 293, Lots 18, 19 & 20  
Owner of Record: Same as Above

Mr. Ken Berry, Beals Associates and Attorney Craig Salomon addressed the Board. Atty. Salomon stated that the Site Plan was approved in November, and one of the conditions was that the applicant would have public water available. Due to the water moratorium, the applicant approached the ZBA and received a variance from Article 8.1.2 to provide water to the site. A condition of approval was that the applicant hold the Town harmless from any lack of water or water quality. This is incorporated in a note on the revised Plan. The applicant requested that 9 of the 12 units be serviced by the wells. Subsequent to filing the ZBA application, the applicant learned from the State that a mixed water source would not be allowed. At the ZBA meeting, the applicant requested that they approve all 12 units, but the minutes do not reflect this second vote. Mr. Jack Lessard was present at that meeting and Atty. Salomon will request that the ZBA clarify their minutes. The applicant requests that the Planning Board amend their conditional approval previously granted in November based on this variance in order to provide water from private wells to all 12 units, and tie into public water when available.

Atty. Salomon clarified that the note on the Plan indicated that no occupancy permits will be issued until the applicant can satisfy all the State requirements. Mrs. Kimball stated that the Zoning ordinances require that multi-family units are required to hook up to public/town water, but due to the water moratorium, that can not occur. This project will be required to hook up to town water when the moratorium is lifted. The Building Inspector will ensure that the conditions of the Planning Board are met. Mrs. Kimball stated that these conditions could be placed in the condominium documents.

Mr. Berry discussed the location of the well. No test borings have been done at the moment. Mr. Gillick emphasized that the issue of potable water should be resolved prior to building. The well will not be a community water source. Mr. Keith Lessard was not comfortable with the fact that this falls short of being a quasi-public/community well and the well radius less than 75 feet, and did not want to set a precedent. Atty. Salomon stated that Mr. Russell Prescott was the water consultant involved, and the Board requested that Mr. Prescott be present at the next meeting of this application. Mrs. Kimball stated that the long-term inspection and maintenance should be added to the condominium documents. Mr. Gillick requested that Mrs. Kimball contact DES to ascertain their well regulations.

Mrs. Hurst **MOTIONED** to continue the above application to February 19, 2003.

Mr. Olney **SECONDED. VOTE:** All. **MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

### III. CONSIDERATION OF MINUTES – JANUARY 8, 2003

Mr. K. Lessard **MOTIONED** to approve the minutes of January 8, 2003 as amended. Mrs. Hurst **SECONDED. VOTE:** All. **MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

### IV. CORRESPONDENCE

The Board received a memo from John Hangen, DPW Director, indicating that the surety release for Mr. Rotondo Mohawk/Pawnee Street be partially released with a maintenance surety of \$5,000 to be held until June 1, 2003.

Mr. J. Lessard **MOTIONED** to partially release the surety in the Mohawk/Pawnee Street project, with a maintenance surety of \$5,000 to be held until June 1, 2003. Mrs. Hurst **SECONDED. VOTE:** All. **MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

### V. OTHER BUSINESS

Mrs. Kimball informed the Board of a workshop entitled "Protecting New Hampshire's Wetlands and Shorelands with NH DES Wetlands Bureau, sponsored by the Rockingham Planning Commission to be held Monday, January 27, 2003 from 7-8:30 pm at the Brentwood Fire Hall.

Mrs. Hurst **MOTIONED** to adjourn. Mr. Olney **SECONDED: VOTE:** All. **MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

Meeting adjourned at 7:50 p.m.  
Respectfully Submitted,  
Maryann Brickett,  
Planning Board Secretary